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October 6, 2020

Via ECF

Hon. Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

Re: *Sheehan v. ConsenSys, Inc.*
19-cv-04154 (DLI) (CLP)

Dear Judge Pollak:

As counsel for Defendant, we write in response to the October 5¹ letter (Dkt. No. 19) from Jordan El-Hag, counsel for plaintiff Ryan Sheehan. Specifically, we object to two related components of Mr. El-Hag's letter: (i) his request that the Court "continue this open-ended stay of discovery," and (ii) his offer to "update the Court as Mr. Sheehan's status changes."

First, there is not – and has never been – an "open-ended stay of discovery" in this matter. On the contrary, on August 5, Your Honor granted a stay of discovery to October 5, and ordered Mr. El-Hag to provide the Court with a written status report by no later than that October 5. Defendant objects to Plaintiff's request for an *open-ended* stay of discovery; a stay of indefinite duration may unduly prejudice Defendant as witnesses may become unavailable and their memories of Plaintiff's fleeting, two-month period of employment fade with the passage of time.

Second, Mr. El-Hag's offer to "update the Court as Mr. Sheehan's status changes" is plainly inadequate. On August 5, the Court ordered Mr. El-Hag to provide an update on his client's status within 60 days. Defendant respectfully requests that Mr. El-Hag be subject to the same obligation now – he should be required to provide the Court with a written status update by no later than December 4.

Thank you for your consideration.

Respectfully submitted,

/s/ Scott M. Cooper

cc: Jordan El-Hag, Esq. (*via ECF*)

¹ All dates referenced herein occur or occurred in 2020.